

**THE COMMITTEE ON LAND USE AND HOUSING
OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO**

**ACTIONS FOR
WEDNESDAY, OCTOBER 9, 2002, AT 2:00 P.M.**

**COUNCIL CHAMBERS (12TH FLOOR), CITY ADMINISTRATION
BUILDING
202 C STREET, SAN DIEGO, CALIFORNIA**

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COUNCIL COMMENT

ACTION: None received.

NON-AGENDA PUBLIC COMMENT

ACTION: None received.

ITEM-1: Report from the City Manager on the IMPLEMENTATION OF THE NORTH CITY FUTURE URBANIZING AREA FRAMEWORK PLAN AFFORDABLE HOUSING POLICY.

(See CMR 02-225; Affordable Housing Element of the North City Future Urbanizing Area Framework Plan; Criteria for Determining Equivalency for Affordable Housing in the NCFUA; Approximate Purchase Price for Affordable for Sale Homes in the NCFUA; Table 1; Summary of Appropriateness)

ACTION: Information only. No action taken.

ITEM-2: Report from the City Manager regarding SUBSTANTIAL CONFORMANCE REVIEW (SCR).

(See Councilmember Peters' April 15, 2002, memo; Tina P. Christiansen's June 21, 2002, memo; Information Bulletin 500)

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ACTION: Motion by Councilmember Peters, second by Councilmember Frye to accept the City Manager's powerpoint report and direct staff to focus on the identified issues of:

- A. Mandatory SCR against Design Guidelines or involving Transfer of Development Rights - Process 2.
- B. SCR potentially modifying significant commitments from decision-making hearing or during the processing of a Discretionary Review Permit - Process 2 Option.
- C. Review the Coastal Process for SCR.
- D. Publish guidelines in Bulletin 500.
- E. Conduct a comprehensive fee study.
- F. Conduct outreach to, at least, community planning groups (including the Community Planners Committee), code monitoring team, Technical Advisory Committee, and interested industry groups.

VOTE:5-0; Wear-yea, Peters-yea, Stevens-yea, Maienschein-yea, Frye-yea

ITEM-3: Report from the City Manager on ALTERNATE MODES OF TRANSIT.

(See CMR 02-226)

ACTION: Trained for 60 days so staff can conduct further investigation on recommendations 2 and 3.

ITEM-4: Report from the City Manager on a REVIEW OF THE DRAFT WIRELESS COMMUNICATION FACILITY (WCF) POLICY.

(See CMR 02-224; City Attorney's October 3, 2002, Memorandum of Law, Mark Appel's October 9, 2002, letter)

ACTION: Motion by Councilmember Frye, second by Councilmember Peters to adopt the City Manager's recommendations with the following changes to the draft policy's Guidelines for Placement of Wireless Communications Facilities:

- A. Move 3.b City Parks, 3.d Multi-family Unit Residential Zones, and 3.e Single Unit Family Residential Zones to Preference 4 status and make Preference 4 applications subject to a Process 4 level

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- of review.
- B. Move 2.b Non-residential Use in a Residential Zone from Preference 2 to Preference 3.
 - C. Direct staff to return with a draft which inserts regulatory components of WCF policy into the Municipal Code using the term “shall” and keeps policy-oriented components in the policy Council documents using the term “should.”
 - D. Add clarifications/definitions as appropriate to the policy and Municipal Code for the following terms: “significant gap,” “unreasonable discrimination,” and “least intrusive method.”
 - E. Review existing WCF’s in City parks under the new policy prior to the expiration of their contract, and before a new agreement is made.
 - F. Review those WCF’s which have been approved but not constructed, to insure they were processed in accordance with applicable policy guidelines, and initiate corrective action or mitigation, in cases where they were not executed properly, or are not currently in compliance.
 - G. That new WCF projects that are scheduled for review follow the new policy guidelines.
 - H. Amend and add sections pertaining to:
 - 1) Maintenance - All approved and permitted Wireless Communication Facilities ~~should~~ shall be maintained in good working order and shall comply with the relevant sections of the Municipal Code pertaining to maintenance.
 - 2) Abandonment - Wireless Carrier shall be responsible for notifying the City when a WCF ceases operation for a period exceeding 180 days, at which point the facility shall be considered abandoned. In such an event, the provider must either apply for all permits required at the time of expiration to reactivate the operation or remove all elements of the facility and

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restore the site to its original condition.

VOTE:5-0;
yea, Frye-yea

Wear-yea (nay on B), Peters-yea, Stevens-yea, Maienschein-

Byron Wear
Chair